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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/828,778	04/21/2004	Gabriel Surma	265280-74911

23643  
 BARNES & THORNBURG  
 11 SOUTH MERIDIAN  
 INDIANAPOLIS, IN 46204



CONFIRMATION NO. 5221

FORMALITIES LETTER



\*OC000000013083641\*

Date Mailed: 06/28/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

*F-Rec, w/ot*

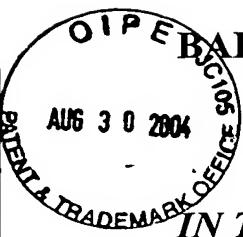
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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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BARNES & THORNBURG

AUG 30 2004

11 South Meridian Street  
Indianapolis, Indiana 46204  
(317) 236-1313  
(317) 231-7433 Fax

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*Group:* 3731

*Confirmation No.:* 5221

*Application No.:* 10/828,778

*Invention:* APPARATUS FOR SECURING A SENSOR  
TO A SURGICAL INSTRUMENT FOR USE  
IN COMPUTER GUIDED ORTHOPAEDIC  
SURGERY

*Applicant:* Gabriel Surma et al.

*Filed:* April 21, 2004

*Attorney Docket:* 265280-74911

*Examiner:* Unknown

**Certificate Under 37 CFR 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on August 25, 2004

  
(Signature)

Mona Beaton  
(Printed Name)

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

**Mail Stop Missing Parts**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Filed under 37 CFR 1.53(b) - Filing Date Granted dated June 28, 2004, applicants submit herewith:

1. A Declaration and Power of Attorney signed by the inventors.

2. A copy of the Notice to File Missing Parts of Nonprovisional Application

Filed under 37 CFR 1.53(b)-Filing Date Granted- Part 2.

3. A check in the amount of \$130.00 for the surcharge.

4. A Statement Under 37 C.F.R. 3.73(b) including a copy of the Assignment.

5. A General Power of Attorney from DePuy Products, Inc. naming the

lawyers of Barnes & Thornburg as attorneys of record in this case by virtue of an Assignment as established by the Statement Under 37 C.F.R. 3.73(b).

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 10-0435 for 265280-74911.

Respectfully submitted,

  
Carli E. Stewart  
Registration No. 51,058

CES:kfw

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Indianapolis, Indiana  
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